Court No. 2

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 27th day of June, 2003

Order on the Bail Application

CRIMINAL SIDE

Crl. Misc. Bail Application No. 495 of 2003

Zamil Mikrani s/o Sri Abdul Hameed
R/o Line No. 8 Azadnagar Haldwani,
P.S. Haldwani, distt. Nainital ..... Applicant

Versus

State of Uttaranchal ..... Opposite party.

Arising Out of Crime No. 1756 of 2002
Under Sections: 147, 148, 149, 302 I.P.C.
Police Station: Haldwani
District: Nainital

Crl. Misc. Bail Application No. 496 of 2003

Javed Siddique s/o Late Moin Siddique
R/o Line No. 17 Azad Nagar Haldwani,
P.S. Haldwani, distt. Nainital ..... Applicant

Versus

State of Uttaranchal ..... Opposite party.

Arising Out of Crime No. 1756 of 2002
Under Sections: 147, 148, 149, 302/34 I.P.C.
Police Station: Haldwani
District: Nainital

IInd Bail Bail Application No. 355 of 2003

Ganga Prasad Jaiswal s/o Choote Lal Jaiswal
R/o Mahaveer Ganj, Haldwani,
P.S. Haldwani, distt. Nainital ..... Applicant

Versus

State of Uttaranchal ..... Opposite party.

Arising Out of Crime No. 1756 of 2002
Under Sections: 147, 148, 149, 302/34 I.P.C.
Police Station: Haldwani
District: Nainital

Hon. P.C. Verma, A.C.J.

Heard learned counsel for the applicants and learned Government Advocate.

Heard all these bail applications together. Since these bail applications are by the accused in case crime no. 1756 of 2002, they are being disposed of together.

The occurrence is reported to have taken place at 9 a.m. in the barber's shop. The deceased was heinously murdered.

The applicants have been assigned the role of causing fire arm injuries. Post mortem report shows that all the injuries were caused by fire arm.

Learned counsel for the applicant submitted that the there was enmity between the deceased and applicants. Therefore, the applicants have been falsely implicated. This argument has another aspect that the applicants were revengeful and they shot dead the deceased. The informant of the incident has also been murdered.

Considering the time and place of the occurrence i.e. the barber's shop, which has an impact on over all society, I am not inclined to grant bail to the applcants. Accordingly the bail applications of Zamil Mikrani and Javed Siddique and second bail application of Ganga Prasad Jaiswal are hereby rejected.

Dt. June 27, 2003 **(P.C. Verma, A.C.J.)**

A